

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 92-CR-80236-DT

FELIX WALLS,

Defendant.

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**OPINION AND ORDER DENYING DEFENDANT'S "PETITION FOR AN  
EVIDENTIARY HEARING"**

Before the court is Defendant Felix Walls's "Petition for an Evidentiary Hearing," filed on October 30, 2009. In his petition, Defendant Walls asserts that he requires an evidentiary hearing to determine the authenticity of the transcripts and stenographic notes in this case. Fundamentally, this petition is another misguided attempt to challenge the validity of the official transcript in this case. Not only is Defendant's position without merit but, procedurally, there is no basis for an evidentiary hearing. Defendant's direct appeals have concluded. The Sixth Circuit has affirmed Defendant's judgment of conviction and sentence, and the Supreme Court has denied his petition for a writ of certiorari. Defendant has not filed any motion under 28 U.S.C. § 2255, and there is nothing pending before this court. As such, there is no procedural justification for an evidentiary hearing. Accordingly,

IT IS ORDERED that Defendant's "Petition for an Evidentiary Hearing" [Dkt. # 655] is DENIED.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: February 12, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 12, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522